

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:10cv190

**JOHN BONHAM and
CHARLYNN BONHAM, on
behalf of themselves and
others similarly situated,**

Plaintiffs,

vs.

**WOLF CREEK ACADEMY;
ABOUT FACE MINISTRIES;
PATRICIA A. JONES; JAMES
E. JONES; and JEREMY C.
JONES,**

Defendants.

ORDER

THIS MATTER is before the Court on the Defendants' Partial Motion to Dismiss [Doc. 12] and the Magistrate Judge's Memorandum and Recommendation [Doc. 19] regarding the disposition of that motion.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider the motion to dismiss and to submit recommendations for its disposition.

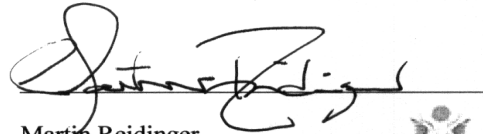
On December 29, 2010, the Magistrate Judge filed a Memorandum and Recommendation [Doc. 19] in this case containing proposed conclusions of law in support of a recommendation regarding the Defendants' motion [Doc. 18]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation [Doc. 19], the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby **ACCEPTS** the Magistrate Judge's Recommendation that the Defendants' Partial Motion to Dismiss be allowed, that the Second through Twelfth Causes of Action be dismissed, and that the demand for punitive damages under state law be either dismissed or stricken.

IT IS, THEREFORE, ORDERED that the Defendants' Partial Motion to Dismiss [Doc. 12] is **ALLOWED**; the Second through Twelfth Causes of Action stated in the Plaintiffs' Complaint are **DISMISSED**; and the Plaintiffs' demand for punitive damages under state law is hereby **DISMISSED**.

IT IS SO ORDERED.

Signed: February 8, 2011

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
United States District Judge

